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REMARKS**I. Introduction**

Claims 1-3, 6-10, 13-16 and 19 are pending in the above application.

Claims 1, 6-8, 13-15 and 19 stand rejected under 35 U.S.C. § 102 as being anticipated.

Claims 2, 9, 10 and 16 stand rejected under 35 U.S.C. § 103.

Claims 1, 8 and 15 are independent claims.

II. Amendments

Claims 4, 5, 11, 12, 17 and 18 have been canceled without prejudice or disclaimer.

Claims 1, 8 and 15 have been amended to more particularly point out that which

Applicant regards as the inventions therein.

No new matter has been added.

III. Prior Art Rejections

Claims 1, 6-8, 13-15 and 19 stand rejected under 35 U.S.C. § 102 as being anticipated by Pavlic et al. (U.S. Pat. 5,130,664).

Anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed in a prior art reference as arranged in the claim. See, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986); and *Connell v. Sears, Roebuck & Co.*, 220 USPQ 193, 198 (Fed. Cir. 1983).

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally

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available to one of ordinary skill in the art. *Ecolchem Inc. v. Southern California Edison Co.*, 227 F.3d 1361, 56 U.S.P.Q.2d (BNA) 1065 (Fed. Cir. 2000); *In re Dembiczak*, 175 F.3d 994, 999, 50 U.S.P.Q.2D (BNA) 1614, 1617 (Fed. Cir. 1999); *In re Jones*, 958 F.2d 347, 21 U.S.P.Q.2d 1941 (Fed. Cir. 1992); and *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). See also MPEP 2143.01.

Neither Pavlic nor Crane, taken alone or in combination disclose or suggest a directional coupler which includes using an input duplex filter for splitting an input signal into a high band signal and a low band signal, a highband directional coupler which is stripline or microstrip technology and a lowband directional coupler which is ferrite transformer technology an, as substantially required by amended claims 1, 8 and 15. Pavlic discloses a repeater station for a CATV network. Pavlic does not disclose to use a highband directional coupler which is stripline or microstrip technology and a lowband directional coupler with is ferrite transformer technology. Accordingly, Pavlic does not anticipate amended claims 1, 8 or 15.

Crane discloses a phased array scanning system which appear to operate in excess of 60 GHz. Crane, col. 1: 36-54. Crane discloses to use microstrip and stripline technologies. Crane, col. 5: 10-16 and col. 6: 20-50. Crane does not disclose to use both stripline or microstrip technology for a highband directional coupler and ferrite transformer technology for a lowband directional coupler.

Moreover, Crane is not analogous art to Applicant's invention. Prior art for obviousness under 35 USC § 103 must be analogous art. *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992); *In re Clay*, 966 F.2d 656, 23 USPQ 2d 1058 (CAFC 1992). The court in *In re Clay* defined analogous art as: 1) art which is in the *same field of endeavor*, or 2) art which is *reasonably pertinent to the particular problem which the inventor is involved*. *Id.*

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Where reasonable pertinence to the inventors particular problem is shown by whether the prior art has the *same purpose and is faced with the same problem* solved by the inventor. Id.

Crane is concerned with a phased array scanning system which appears to be essentially for a radar system. The frequencies to which Crane is concerned are about a factor of 10 greater than the present invention, e.g. 26GHz or 60GHz "up through 95GHz" (Crane, col. 1: 40-45; col. 2: 35-38) compared to Applicant's 1 GHz. Crane clearly is not a CATV system, hence, Crane is not "in the same field of endeavor" as Applicants. Crane is also not reasonably pertinent to the problem solved by Applicants, i.e. Crane does not have the same purpose and is not faced with the same problem by virtue of being concerned with much higher frequencies. Indeed, Crane identifies the ferrite technology to only have a problem above 26GHz for cost (26 times higher than in Applicant's invention), and 60GHz for performance (60 times higher than Applicant's invention). Clearly, one of skill in the art of Applicant's invention would not look for solutions to their problems in a phase array environment of Crane. Accordingly, Crane is clearly not analogous art to Applicant's invention, and it is impermissible to rely on Crane to reject Applicant's claims in an obviousness rejection.

As neither Pavlic nor Crane, taken alone or in combination, disclose or suggest all of the limitations of amended claims 1, 8 or 15, these references do not render these claims unpatentable. Furthermore, reliance on Crane is impermissible in an obviousness rejection. Likewise, claims 2, 3, 6, and 7 which depend on claim 1; claims 9, 10, 13 and 14 which depend on claim 8; nor claims 16 and 19 which depend on claim 15 are rendered unpatentable by Pavlic or Crane taken alone or in combination.

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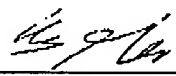
IV. Conclusion

Having fully responded to the Office action, the application is believed to be in condition for allowance. Should any issues arise that prevent early allowance of the above application, the examiner is invited contact the undersigned to resolve such issues.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

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Respectfully submitted,

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